

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**STATE OF MISSOURI**

**v.  
ARYANNA F. CHASE**

**APPELLANT,**

**RESPONDENT.**

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DOCKET NUMBER WD78595

DATE: April 19, 2016

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Appeal From:

Jackson County Circuit Court  
The Honorable W. Brent Powell, Judge

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Appellate Judges:

Division One: Lisa White Hardwick, Presiding Judge, Thomas H. Newton, Judge and  
Cynthia L. Martin, Judge

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Attorneys:

Karen L. Kramer, Jefferson City, MO, for appellant.

John M. Tomberlin and S. Kate Webber, Kansas City, MO, for respondent.

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**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**STATE OF MISSOURI,**

**APPELLANT,**

**v.**

**ARYANNA F. CHASE,**

**RESPONDENT.**

No. WD78595

Jackson County

Before Division One: Lisa White Hardwick, Presiding Judge, Thomas H. Newton, Judge and Cynthia L. Martin, Judge

The State of Missouri appeals a judgment granting Aryanna F. Chase's motion to dismiss a charge against her for unlawful possession of a firearm in violation of section 571.070. The State argues that the trial court erred in dismissing the charge against Chase because she was a fugitive from justice under the plain meaning of that phrase.

**Affirmed.**

**Division One holds:**

The trial court did not err in dismissing the unlawful possession of a firearm charge against Chase. The phrase "fugitive from justice" in section 571.070 is ambiguous because the phrase is reasonably susceptible to more than one meaning. Because the phrase is ambiguous, the rule of lenity requires that the statute is strictly against the State and liberally in favor of Chase. As a result, the trial court did not err in dismissing the charge against Chase because her alleged conduct is not encompassed by section 571.070.

Opinion by Cynthia L. Martin, Judge

April 19, 2016

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